Division Bench

(1)

(4)

CF 1802

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

WRIT APPEAL NO. 17 /2007
(WRIT PETITION NO.18/2007)

APPELLANT

Shyam Lal Rawat, aged about 45 years, son of Late Santosh Kumar Rawat, working as Training Officer (Electrician), Industrial Training Institute, Raigarh, R/o. I.T.I. Colony, Chakradhar Nagar, Raigarh, Distt. Raigarh (C.G.)

F.R. No. 1149/07
Presented by Shri Sanjeev Ki. Sahu
dated 9/2/07

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Department of Technical Education, Dau Kalyan Singh Bhawan, Raipur (C.G.)

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2. Principal , Industrial Training Institute, Raigarh, Distt. Raigarh (C.G.)

WRIT APPEAL UNDER SECTION 2(I) OF CHHATTISGARH HIGH COURT (APPEAL TO DIVISION BENCH) ACT, 2006

(43)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, CJ.
HON'BLE SHRI V.K. SHRIVASTAVA, J.

WRIT APPEAL NO. 17 OF 2007

APPELLANT Shyam Lal Rawat

Versus

RESPONDENTS State of Chhattisgarh and another.

Present : Shri Roop Naik, counsel for the appellant.
Shri N.K. Agrawal, Dy. A.G. for the respondents/State.

ORAL ORDER
(Passed on 14th February, 2007)

The following oral order of the Court was passed by H.L. Dattu, CJ.

This appeal arises out of an order passed by the learned Single Judge in Writ Petition No. 18 of 2007. By the impugned order the learned Single Judge has rejected the writ petition.

(2) The petitioner was working as Training Officer (Electrician) in the Industrial Training Institute, Raigarh. By an order passed on 29-06-2006, he has been transferred. Aggrieved by the said order the petitioner has approached this Court.

(3) In the writ petition, the petitioner has not alleged that the transfer order so passed is tainted with mala fide or passed by any incompetent authority. Keeping these aspects, the learned Single Judge has rejected the writ petition.

(4) We have also gone through the order of transfer passed in the instant case. We are of the opinion that the learned Single Judge has not

committed any mistake of whatsoever. Since, the order of transfer is an incidence of service, the person who is in service should accept the transfer order and comply with the same.

(5) In view of above, we do not find any good ground to interfere with the order passed by the learned Single Judge. Accordingly, the appeal stands rejected.

(6) Ordered accordingly.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Chief Justice